

NATURAL RESOURCE COMMISSION[571]

Notice of Intended Action

Twenty-five interested persons, a governmental subdivision, an agency or association of 25 or more persons may demand an oral presentation hereon as provided in Iowa Code section 17A.4(1)“b.”

Notice is also given to the public that the Administrative Rules Review Committee may, on its own motion or on written request by any individual or group, review this proposed action under section 17A.8(6) at a regular or special meeting where the public or interested persons may be heard.

Pursuant to the authority of Iowa Code section 455A.13, the Natural Resource Commission hereby gives Notice of Intended Action to amend Chapter 71, “Nursery Stock Sale to the Public,” Iowa Administrative Code.

The proposed amendment will raise the price of tree and shrub seedlings sold from the State Forest Nursery (Nursery). Demand for seedlings has declined, and despite the Department of Natural Resources’ (Department) cost containment strategies, the Nursery has not been able to meet the Iowa Code obligation for covering Nursery costs. The change is being proposed to bring Nursery operations into compliance with Iowa Code section 455A.13, which states that “the department of natural resources shall adopt administrative rules establishing a range of prices of plant material grown at the state forest nurseries to cover all expenses related to the growing of the plants.”

Any interested person may make written suggestions or comments on the proposed amendment on or before June 30, 2016. Such written materials should be directed to Paul Tauke, Chief, State Forestry Bureau, Department of Natural Resources, Wallace State Office Building, 502 East Ninth Street, Des Moines, Iowa 50319-0034; or by fax at (515)725-8201; or by e-mail to paul.tauke@dnr.iowa.gov.

Three public hearings will be held, at which persons may present their views either orally or in writing. At the hearings, persons will be asked to state their names and addresses for the record and to confine their remarks to the subject of the amendment. The hearings will be held as follows:

June 28, 2016	1 to 3 p.m.	State Forest Nursery 2404 South Duff Ave. Ames
June 29, 2016	1 to 3 p.m.	Mines of Spain State Recreation Area E. B. Lyons Interpretive Center 8991 Bellevue Heights Rd. Dubuque
June 30, 2016	10 a.m. to 12 noon	Loess Hills State Forest Visitor Center 206 Polk St. Pisgah

Any persons who intend to attend a public hearing and have special requirements, such as those relating to hearing or mobility impairments, should contact the Department and advise of those specific needs.

After analysis and review of this rule making, no negative impact on jobs has been found.

This amendment is intended to implement Iowa Code sections 455A.13, 456A.17, 456A.20 and 456A.21.

The following amendment is proposed.

Amend rule 571—71.3(456A,461A) as follows:

571—71.3(456A,461A) Nursery stock prices.

71.3(1) Prices for hardwoods shall be as follows:

- a. Aspen, oak, hickory, walnut, pecan and basswood, 6" to 16"—~~\$40~~ \$65 per hundred plants.
- b. Aspen, oak, hickory, walnut, pecan and basswood, 17" and larger—~~\$55~~ \$90 per hundred plants.

- c. Other hardwood tree species, 6" to 16"—~~\$37~~ \$65 per hundred plants.
- d. Other hardwood tree species, 17" and larger—~~\$52~~ \$90 per hundred plants.

71.3(2) Prices for shrubs shall be as follows:

- a. Elderberry, buttonbush, dogwood, and Nanking cherry, 6" to 16"—~~\$37~~ \$65 per hundred plants.
- b. Elderberry, buttonbush, dogwood, and Nanking cherry, 17" and larger—~~\$52~~ \$90 per hundred plants.
- c. Other shrub species, 6" to 16"—~~\$40~~ \$70 per hundred plants.
- d. Other shrub species, 17" and larger—~~\$55~~ \$90 per hundred plants.

71.3(3) Prices for conifers shall be as follows:

- a. Conifers, 6" to 16"—~~\$25~~ \$50 per hundred plants.
- b. Conifers, 17" and larger—~~\$40~~ \$80 per hundred plants.

71.3(4) Prices for wildlife packets shall be ~~\$110~~ \$190 each.

71.3(5) Prices for songbird packets shall be ~~\$25~~ \$45 each.

~~**71.3(6)** Prices for walnut seed shall be \$3 per pound.~~

~~**71.3(7)**~~ **71.3(6)** For promotion of conservation plantings, nursery stock may be provided to schools and conservation and education groups to use for Arbor Day and other special events.